

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY L. MOORE,

Defendant.

**SECOND AMENDED
SCHEDULING ORDER**

Criminal Docket 06-CR-86S(Sr)

Based on the sealed Affidavit sworn to by AUSA Jorge S. deRosas on June 26, 2006, it is hereby ordered that defendant is granted additional time within which to file motions to **July 7, 2006**.

The government shall respond to any motions filed by **July 14, 2006**.

Oral argument of said motions will be heard on **July 19, 2006, at 2:00 P.M.**

Further, based on the sealed Affidavit which I incorporate by reference herein, I find that for the reasons set forth therein, the time between June 23, 2006, and July 7, 2006, is hereby excluded, pursuant to 18 USC 3161(h)(8)(A) and that such time outweighs the public's right to a speedy trial for the reasons set forth in the Affidavit.

SO ORDERED.

/s/ H. Kenneth Schroeder, Jr.

H. KENNETH SCHROEDER, Jr.
United States Magistrate Judge

DATED: June 27, 2006
Buffalo, New York